


County of Loudoun
Department of Planning
MEMORANDUM

DATE: January 8, 2009
TO: Loudoun County Planning Commission
FROM: Sophia S. Fisher, Planner 
SUBJECT: January 15, 2009 PC Worksession—ZMAP 2007-0011 & SPEX 2007-0057, Cameron Chase Village Center

Background

The Planning Commission discussed this application at the December 16, 2008 Worksession. At the worksession, the Commission continued to discuss the issues of landscaping and the transportation proffer. The draft proffers have been revised to reflect the discussion at the worksession. In addition, the applicant has provided a memo from their traffic consultant that outlines and answers the following questions raised by the commission during the worksession:

- How much traffic is being generated by the site now?
- How was the 3% transportation contribution calculated?
- What percentage of "locally generated" traffic does the center account for?
- Are the traffic signals at Smith Switch Road and Ice Rink Plaza synchronized, and what would be required to make them so?

Outstanding Issues

- The applicant's transportation proffer does not meet CTP Levels of Service (LOS) Standards Policies that state that new development shall not occur unless the roads impacted operate at LOS D or better after the traffic from the proposed new development is absorbed.

Staff from the Office of Transportation Services will attend the meeting to discuss the outstanding issue.

Recommendation

Staff can recommend approval of the application if the outstanding issue is resolved.

Motions

1. I move that the Planning Commission forward of ZMAP 2007-0011 and SPEX 2007-0057, Cameron Chase Village Center to the Board of Supervisors with a recommendation of approval subject to the draft Proffer Statement dated January 8, 2009 and with the attached Findings, and subject to revisions as discussed at the Worksession.

Or,

2. I move an alternate motion.

Attachments

1. Findings
2. Draft Proffer Statement dated January 8, 2009.
3. Memo from Wells + Associates dated January 2, 2009

ZMAP 2007-0011 & SPEX 2007-0057
Cameron Chase Village Center
January 8, 2009

FINDINGS

Zoning Map Amendment (ZMAP 2007-0011)

1. The conversion of this property to the PD-CC(CC) zoning district would be more consistent with the land use policies contained in the Revised General Plan, which designates the area as Residential.
2. The requested district provides a set of uses that are more consistent within an area planned for a residential community
3. The application conforms to the policies contained in the Revised General Plan.
4. The proposed rezoning meets requirements of Revised 1993 Zoning Ordinance.

Special Exception (SPEX 2007-0057)

1. The request to remove the nonconforming use is in line with County policy to promote economic development through reinvestment in existing businesses, as outlined in the Revised General Plan.
2. The proposed Special Exception request to allow the continued operation of the Ashburn Ice House is consistent with the policies of the Revised General Plan.

SPECIAL EXCEPTION CONDITIONS OF APPROVAL
(SPEX 2007-0057)

1. This Special Exception is to remove the nonconforming status from the Ashburn Ice House. The property shall be developed in substantial conformance to the "Ashburn Ice House" Special Exception Plat, prepared by Bohler Engineering, dated December 7, 2007 and revised through June 2, 2008. Approval of this application does not relieve the Applicant of any Zoning Ordinance, Codified Ordinance, or any other requirement.
2. The applicant shall establish a pedestrian trail connecting the skating center with the pedestrian trail on the Cameron Chase property when the trail is constructed by Cameron Chase.

3. In addition to the required Type II buffer, there shall be landscaping and/or berming to accomplish an equivalent opacity of a six foot fence between this use and the houses in Cameron Chase.
4. The applicant shall direct all lighting away from residentially zoned property and install low-intensity lighting and/or baffles to provide a lighting scheme that is appropriate for residential settings.



WELLS + ASSOCIATES

MEMORANDUM

TO: Sam J. Rank
The Rappaport Companies

FROM: Kevin D. Sitzman, P.E.

DATE: January 2, 2009

RE: Cameron Chase Village Center
Responses to Planning Commission Questions

This memorandum presents responses to questions posed by the Planning Commission with regard to the proposed Cameron Chase rezoning. Each question is listed below, along with the response to each.

Question 1: How much traffic is being generated by the site now?

Response 1: Table 3 of the Cameron Chase Traffic Impact Study, prepared by Wells + Associates and dated September 25, 2007, includes information on the number of trips currently generated by the site. Based on traffic counts conducted in May 2007, the combined non-residential uses on the Cameron Chase site generated 317 AM peak hour trips and 572 PM peak hour trips. Deducting the trips anticipated to be generated by the tire store, gas station, and ice rink, the remaining restaurant and personal services uses would account for 122 AM peak hour trips and 213 PM peak hour trips.

Question 2: Clarify why the rezoning accounts for three percent of the total traffic on the road.

Response 2: In the traffic study, existing traffic counts, regional traffic growth, traffic generated by other approved development projects, and site traffic were combined to yield total future traffic forecasts. The number of trips generated by the rezoning application (site traffic) was determined by subtracting the existing trips from the anticipated total trips for a shopping center. The existing trips were based on a combination of actual measurements and industry-standard estimates based on Institute of Transportation Engineers data, as required by Loudoun County and VDOT guidelines. The proportion of site traffic at the major Waxpool Road/Smith Switch Road intersection was

determined by dividing the total future traffic forecasts shown on Figure 10 of the traffic study by the site traffic assignments shown on Figure 9. A total of 5,869 AM peak hour trips and 7,629 PM peak hour trips are forecasted to use this intersection in the future. Of these, 158 AM peak hour trips (2.69%) and 208 PM peak hour trips (2.73%) would be generated by the rezoning. Thus, the site-generated traffic was calculated as less than three percent of the total traffic at this location.

Given that Lot 3 is the only parcel where near-term changes are anticipated as a result of the rezoning, the trip generation associated with the rezoning was recalculated. Based on the limited area and uses, a direct comparison of industry-standard trip estimates is the most appropriate measure of the impact of the PD-IP to PD-CC conversion. The attached Table 1 shows the trip generation estimates for the existing and proposed uses. The Cameron Chase Village Center rezoning would result in a significant decrease in trips during the AM peak hour (80% reduction) and a slight increase during the PM peak hour (28 more trips than existing conditions). During the critical PM peak hour, approximately 64% of the site-generated trips pass through the major Waxpool Road/Smith Switch Road intersection. This would result in 18 site-generated vehicles at the critical intersection during the PM peak hour. Given the 7,421 background trips at this location, the proposed rezoning would increase the overall traffic by 0.24% at the Waxpool Road/Smith Switch Road intersection.

As a third westbound through lane on Waxpool Road is recommended by staff to improve the level of service for all traffic in the study area, the applicant could reasonably be responsible for three percent of that improvement. It has been estimated that extension of the third westbound lane to Estate Place would cost \$500,000 to construct. The applicant has indicated a willingness to contribute \$15,000 (3%) toward this improvement. Given the calculation of the pro-rata share associated with Lot 3, this contribution would be well in excess of the impact associated with the proposed rezoning ($\$500,000 \times 0.24\% = \$1,200$).

Question 3: What percentage of “locally generated” traffic does the center account for?

Response 3: Other “locally generated” traffic, from other approved development projects, was included in the study. Buildout of these projects would result in 6,312 additional AM peak hour trips and 6,214 additional PM peak hour trips. By comparison, the proposed rezoning would generate 5.3% as many AM peak hour trips and 5.3% as many PM peak hour trips. Accounting for the reduced application area, the Cameron Chase Village Center rezoning would account for 0% (reduction in trips) of the AM peak hour trips and 0.5% as many PM peak hour trips, compared with the other approved development projects.

Question 4: What would the process be for getting the lights at Smith Switch and Ice Rink Plaza synchronized? What is entailed? How much does it cost and who would pay?

Response 4: The traffic signals at the intersections of Waxpool Road with Smith Switch Road and Ice Rink Plaza currently operate within a coordinated system, according to VDOT staff. The signal controllers are programmed with offsets to improve traffic progression along Waxpool Road. This increases the number of vehicles that continue through multiple traffic signals without stopping. In order to accomplish this, the signal cycle lengths are increased; in this case to 190 seconds in the morning and 220 seconds in the afternoon. While improving progression of mainline vehicles, this increases delays for side-street vehicles, deteriorating the level of service for the minor roadways.

VDOT reviews the cycle length, offsets, and other signal timing parameters periodically, such as when new traffic signals are installed or new lanes are constructed. The traffic signal system is optimized for all vehicles in the system, rather than for any particular intersection. Thus, the major roadways receive priority and the side streets tend to experience more delays.

Please feel free to contact me with any questions you may have regarding this matter.

Table 1
Cameron Chase
Site Trip Generation Analysis (1)

Scenario	Land Use Code	Amount	Units	AM Peak Hour			PM Peak Hour			Average Daily Trips
				In	Out	Total	In	Out	Total	
EXISTING (PD-IP)										
Vacant		1,400	SF	0	0	0	0	0	0	0
Restaurants										
Beef O'Brady's	932	3,830	SF	23	21	44	26	16	42	487
Asia Palace	932	1,400	SF	8	8	16	9	6	15	178
Smoothie King	933	1,050	SF	28	18	46	14	13	27	752
Quizno's Subs	932	1,750	SF	10	10	20	12	7	19	223
Bean Scene Café	932	1,400	SF	8	8	16	9	6	15	178
Pho Bistro	932	2,100	SF	12	12	24	14	9	23	267
Mirchi's	932	2,100	SF	12	12	24	14	9	23	267
Let's Dish!	932	<u>2,450</u>	<u>SF</u>	<u>15</u>	<u>13</u>	<u>28</u>	<u>16</u>	<u>11</u>	<u>27</u>	<u>312</u>
Subtotal		16,080	SF	116	102	218	114	77	191	2,664
Medicap Pharmacy	880	1,400	SF	2	2	4	6	6	12	126
Butterfly Life Women's Fitness	492	2,100	SF	1	2	3	5	4	9	69
MBH Settlement Group	710	2,800	SF	4	0	4	1	3	4	31
Specialty Retail Center (2)										
Snappy Auctions	814	1,400	SF							
Cameron Chase Village Cleaners	814	1,400	SF							
Dejure Salon	814	1,400	SF							
Tiffany's Nail Spa	814	<u>1,400</u>	<u>SF</u>							
Subtotal		5,600	SF	69	74	143	15	20	35	248
TOTAL		29,380	SF	192	180	372	141	110	251	3,138
PROPOSED (PD-CC)										
Shopping Center	820	29,380	SF	46	29	75	134	145	279	3,063
Difference (Proposed - Existing)				-146	-151	-297	-7	35	28	-75
Percent Difference				-76%	-84%	-80%	-5%	32%	11%	-2%

Note(s):

(1) Trip generation based on the Institute of Transportation Engineers' Trip Generation, 7th Edition.

(2) AM peak assumed to be 25% of the PM peak.

PROFFER STATEMENT

January 8, 2009

US ACTIVE-6806343Z-85906343Z-ID-GMPARDO 12/18/08 10:06 AM 09 12:39 PM

Cameron Chase Village Center

(ZMAP 2007-0011)

PROFFER STATEMENT

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Exhibits

<u>Exhibit A:</u>	Zoning Map Amendment Cameron Chase Village Center, prepared by Bohler Engineering, dated December 7, 2007, as revised through June 2, 2008.
<u>Exhibit B:</u>	Design Modifications for the Cameron Chase Village Center, dated June 2, 2008.
<u>Exhibit C:</u>	Existing Conditions – 2008 Cameron Chase Village Center, prepared by Bohler Engineering, dated December 4, 2008<u>2008</u>.
<u>Exhibit D:</u>	Proposed Conditions – 2013 Cameron Chase Village Center, prepared by Bohler Engineering, dated December 4, 2008<u>2008</u>.
<u>Exhibit E:</u>	Cameron Chase Village Center Site Planting and Improvement Plan, prepared by LANDGARDEN Landscape Architects, Sheet L101, dated May 3, 2007, as revised through October 14, 2008.

Cameron Chase Village Center

(ZMAP 2007-0011)

PROFFER STATEMENT

July 1, 2008
August 22, 2008
November 6, 2008
December 4, 2008
January 8, 2009

PREAMBLE

Pursuant to the Section 15.2-2303 of the Code of Virginia, 1950, as amended, and Section 6-1209 of the Revised 1993 Loudoun County Zoning Ordinance, as amended, CC-Loudoun Holdings, LLC, owner of MCPI # 060-15-6750, Commonwealth Recreation Partners, LLC, owner of MCPI # 060-16-1531, Cameron Chase Village Center Partners, LLC, owner of MCPI # 061-45-9365 and 060-15-3377, and Navy Federal Credit Union, owner of MCPI # 061-46-0385, (collectively the "Owners") owners of the above-described land amounting to approximately 15.07 acres of real property (the "Property") which is the subject of rezoning application ZMAP 2007-0011, hereby voluntarily proffer that development of the Property shall be in substantial conformity with the proffers as set forth below (the "Proffers") and with ~~the~~ Sheet 3 of the Zoning Map Amendment Cameron Chase Village Center, prepared by the Bohler Engineering, dated December 7, 2007, as revised through June 2, ~~2008~~, 2008 (Exhibit A) (the "Concept Development Plan"), and the Design Modifications for the Cameron Chase Village Center, dated June 2, 2008, and revised through November 6, 2008 (Exhibit B), which are attached and incorporated herein by reference. All Proffers made herein are contingent upon the approval by the Board of Supervisors of Loudoun County (the "Board") of the change in the zoning district requested in rezoning application ZMAP 2007-0011 from the PD-IP zoning district to the PD-CC-CC zoning district, as modified.

I. CONCEPT PLAN

Substantial Conformity. The Property shall be developed in substantial conformity with Sheet 3 of the Zoning Map Amendment Cameron Chase Village Center, prepared by Bohler Engineering, dated December 7, 2007, as revised through June 2, ~~2008~~, 2008 (Exhibit A) (the "Concept Development Plan"), and the Design Modifications for the Cameron Chase Village Center, dated June 2, 2008, and revised through November 6, 2008 (Exhibit B), which are attached and incorporated herein by reference.

II. TRANSPORTATION

The owner of the parcel identified as Lot 3 on the Concept Development Plan, which is also identified as MCPI 060-15-6750 among the records of the Loudoun County Assessor's Office, shall within 60 days of approval of ZMAP 2007-0011 contribute to the County, or its designee, Fifteen Thousand and 00/100 Dollars (\$15,000.00) to be used for the design and/or construction by others of an additional westbound lane of Farmwell Road across the frontage of the Property. Furthermore, the owner of the parcel identified as Lot 3 on the Concept Development Plan shall contribute an additional Fifteen Thousand and 00/100 Dollars (\$15,000.00) to be used exclusively for the construction by others of an additional westbound lane of Farmwell Road from Smith Switch Road to Ashburn Village Boulevard, provided that the construction of that improvement is bonded by others and awarded for construction within five years of the date of approval of ZMAP 2007-0011. Said additional contribution shall be made at the time that the improvement is bonded by others and awarded for construction. Performance of this proffer shall be the sole responsibility of the owner of the parcel identified as Lot 3 on the Concept Development Plan and none of the owners of the remaining parcels that comprise the Property shall be obligated or responsible in any way to perform or ensure performance by others of this Proffer II.

III. PEDESTRIAN CIRCULATION

The owner of the parcel identified as Lot 3 on the Concept Development Plan, which is also identified as MCPI 060-15-6750 among the records of the Loudoun County Assessor's Office, shall within 60 days of approval of ZMAP 2007-0011 submit a site plan for approval to construct a pedestrian connection linking the shopping center with the roads serving the adjacent residential community as depicted on the Concept Development Plan. The owner of Lot 3 shall construct or bond such pedestrian connection for construction within 90 days of approval by Loudoun County of the site plan. Performance of this proffer shall be the sole responsibility of the owner of the parcel identified as Lot 3 on the Concept Development Plan and none of the owners of the remaining parcels that comprise the Property shall be obligated or responsible in any way to perform or ensure performance by others of this Proffer III.

IV. NORTHERN BOUNDARY LANDSCAPING

A. Lot 4 Part A: The owner of the parcel identified as Lot 4 Part A on the Concept Development Plan, which is also identified as a portion of MCPI 060-15-3377 among the records

of the Loudoun County Assessor's Office, shall preserve the overall amount of landscaping present along the northern boundary of that parcel, as of the date of approval of ZMAP 2007-0011, as documented on Existing Conditions – 2008 Cameron Chase Village Center, prepared by Bohler Engineering, dated December 4, 2008 (Exhibit C), provided that the vegetation that makes up the landscaping may be moved, rearranged, and/or removed and replaced to permit future development of that parcel. Performance of this proffer shall be the sole responsibility of the owner of the parcel identified as Lot 4 Part A on the Concept Development Plan and none of the owners of the remaining parcels that comprise the Property shall be obligated or responsible in any way to perform or ensure performance by others of this Proffer IV.A.

B. Lot 3: The owner of the parcel identified as Lot 3 on the Concept Development Plan, which is also identified as MCPI 060-15-6750 among the records of the Loudoun County Assessor's Office, shall preserve and maintain the landscaping present along the northern boundary of that parcel as of the date of approval of ZMAP 2007-0011, as documented on Exhibit C. The owner of Lot 3 shall further supplement the landscape buffer along the northern boundary of Lot 3 by installing ~~ten~~50 Leyland Cypress trees ~~per year~~ in the locations on Lot 3 depicted on Proposed Conditions – 2013 Cameron Chase Village Center, prepared by Bohler Engineering, dated December 4, 2008 (Exhibit D) ~~for five consecutive years beginning in the year in which ZMAP 2007-0011 is approved.~~within 18 months of approval by the Board of ZMAP 2007-0011. Performance of this proffer shall be the sole responsibility of the owner of the parcel identified as Lot 3 on the Concept Development Plan and none of the owners of the remaining parcels that comprise the Property shall be obligated or responsible in any way to perform or ensure performance by others of this Proffer IV.B.

C. Lot 42A: The owner of the parcel identified as Lot 42A on the Concept Development Plan, which is also identified as MCPI 060-16-1531 among the records of the Loudoun County Assessor's Office, shall preserve and maintain the landscaping present along the northern boundary of that parcel as of the date of approval of ZMAP 2007-0011, as documented on Exhibit C. Performance of this proffer shall be the sole responsibility of the owner of the parcel identified as Lot 42A on the Concept Development Plan and none of the owners of the remaining parcels that comprise the Property shall be obligated or responsible in any way to perform or ensure performance by others of this Proffer IV.C.

V. FARMWELL ROAD FRONTAGE LANDSCAPING

The owner of the parcel identified as Lot 3 on the Concept Development Plan, which is also identified as MCPI 060-15-6750 among the records of the Loudoun County Assessor's Office, shall within twelve months of approval of ZMAP 2007-0011 install along the Farmwell Road frontage the landscape vegetation depicted on the Cameron Chase Village Center Site Planting and Improvement Plan, prepared by LANDGARDEN Landscape Architects, Sheet L101, dated May 3, 2007, as revised through October 14, 2008 (Exhibit E). Performance of this proffer shall be the sole responsibility of the owner of the parcel identified as Lot 3 on the Concept Development Plan and none of the owners of the remaining parcels that comprise the Property shall be obligated or responsible in any way to perform or ensure performance by others of this Proffer V.

VI. BINDING EFFECTS

The Owners warrant that they own all interests in the Property; that they have full authority to bind the Property to these conditions; that no signature from any third party is necessary for these Proffers to be binding and enforceable in accordance with their terms; that the undersigned are fully authorized to sign these Proffers on behalf of each of the respective landowners; and that these Proffers are entered into voluntarily.

DRAFT

OWNERS:

CC-LOUDOUN HOLDINGS, LLC,
a Delaware limited liability company

By: CAMERON CHASE HOLDINGS, LLC,
a Delaware limited liability company
Its: Sole Member

By: _____
Name: Gary D. Rappaport
Title: Manager

COMMONWEALTH OF VIRGINIA

CITY/COUNTY OF _____, to-wit:

Before the undersigned, a Notary Public in and for the aforementioned jurisdiction, personally appeared Gary D. Rappaport, as Manager of CAMERON CHASE HOLDINGS, LLC, a Delaware limited liability company, who acknowledged that he executed the foregoing Proffers with the full power and authority to do so.

IN WITNESS WHEREOF, I have affixed my hand and seal this _____ day of _____, 2009.

Notary Public

My Commission Expires: _____

**COMMONWEALTH RECREATION PARTNERS,
LLC,**
a Virginia limited liability company

By: _____
Name: Brian J. Cullen
Title: _____

COMMONWEALTH OF VIRGINIA

CITY/COUNTY OF _____, to-wit:

Before the undersigned, a Notary Public in and for the aforementioned jurisdiction, personally appeared BRIAN J. CULLEN, as _____ of COMMONWEALTH RECREATION PARTNERS, LLC, a Virginia limited liability company, who acknowledged that she executed the foregoing Proffers with the full power and authority to do so.

IN WITNESS WHEREOF, I have affixed my hand and seal this _____ day of _____, 2009.

Notary Public

My Commission Expires: _____

**CAMERON CHASE VILLAGE CENTER
PARTNERS, LLC,**
a Colorado limited liability company authorized
to conduct business in the Commonwealth of Virginia

By: _____
Name: Mark E. DeRose
Title: Manager

COMMONWEALTH OF VIRGINIA

CITY/COUNTY OF _____, to-wit:

Before the undersigned, a Notary Public in and for the aforementioned jurisdiction, personally appeared _____, as _____ of CAMERON CHASE VILLAGE CENTER PARTNERS, LLC, a Colorado limited liability company authorized to conduct business in the Commonwealth of Virginia, who acknowledged that he executed the foregoing Proffers with the full power and authority to do so.

IN WITNESS WHEREOF, I have affixed my hand and seal this _____ day of _____, 2009.

Notary Public

My Commission Expires: _____

NAVY FEDERAL CREDIT UNION

a _____ company

By: _____

Name: _____

Title: _____

COMMONWEALTH OF VIRGINIA

CITY/COUNTY OF _____, to-wit:

Before the undersigned, a Notary Public in and for the aforementioned jurisdiction, personally appeared _____, as _____ of NAVY FEDERAL CREDIT UNION, a _____ company, who acknowledged that he executed the foregoing Proffers with the full power and authority to do so.

IN WITNESS WHEREOF, I have affixed my hand and seal this _____ day of _____, 2009.

Notary Public

My Commission Expires: _____

EXHIBIT B
**DESIGN MODIFICATIONS
FOR
CAMERON CHASE VILLAGE CENTER**

**June 2, 2008
November 6, 2008**

ZONING MODIFICATIONS

Section 6-1504 of the Revised 1993 Zoning Ordinance permits modifications to the zoning and subdivision requirements if the Board finds that such *"modifications will achieve an innovative design, improve upon the existing regulations, or otherwise exceed the public purpose of the existing regulation."* As part of this rezoning request, the following modifications are incorporated for the Property.

ZO § 4-205(C)(1)(b)	To reduce the required yard between existing parking and Smith Switch Road from 35 feet to 20 feet, and to permit existing parking between the existing buildings on the Property and streets which may be visible from a road.
ZO § 4-205(C)(2)	To reduce the required yard between the adjacent residential area and buildings and existing parking on the Property from 100 feet to 59 feet, and to permit existing drive aisles, parking, loading, outdoor storage areas, or areas for collection of refuse that may be visible from the adjacent residential area.
ZO § 4-205(C)(3)	To eliminate the required yard between buildings, parking, outdoor storage and loading areas on the Property and other non-residential districts.
ZO §5-900(A)(10)	To reduce the required setback between existing drive aisles and parking and Farmwell Road from 35 feet to 20 feet.